

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 01 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 28 1988 under 51890

The applicant **Michael B. Stewart** hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use** of water heretofore appropriated under **Permit 52845**

1. The source of water is **Underground**
2. The amount of water to be changed **0.5 cfs, not to exceed 117.955 MGA**
3. The water to be used for **Industrial (Power Plant Cooling Water)**
4. The water heretofore permitted for **Mining, Milling and Domestic**
5. The water is to be diverted at the following point **SE¼ NE¼, Section 36, T.30N., R.22E., M.D.B.&M., or at a point from which the NE corner of Section 4, T.29N., R.23E., M.D.B.&M., bears S.77°01'57"E., a distance of 17,380.0 feet. (Refer to map filed under Permit 51890)**
6. The existing permitted point of diversion is located within **SW¼ SE¼, Section 33, T.30N., R.23E., M.D.B.&M., or at a point from which the SE corner of said Section 33 bears S.71°34'08"E., a distance of 2,087.53 feet. (Refer to map filed under Permit 52844)**
7. Proposed place of use **Lot 2, SW¼ NE¼, and SE¼ NW¼, Section 21, T.29N., R.23E., M.D.B.&M. (Refer to map on file under Permit 50552)**
8. Existing place of use **Within T.30N., R.23E.: Section 27, 28, 33 and 34; S½, S½ N½ of Section 21; portions of Section 22, 26, and 35. Within T.29N., R.23E.: Section 3; N½ N½, Section 4; portions of Sections 2, 9, 10, 15 and 16. (Refer to map on file under Permit 52844)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing drilled and cased well equipped with a motor & pump**
12. Estimated cost of works **\$250,000.00**
13. Estimated time required to construct works **Completed – See Permit 51890**
14. Estimated time required to complete the application of water to beneficial use **Three (3) Years**

68756

15. Remarks: Water is being changed back to its original Permitted use under Permit 51192 for an existing Geothermal Power Plant. Water being changed represents remaining portion of Permit 52845.

By Gregory M. Bilyeu
s/ Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89511

Compared sg/cmf lb/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 52845 is issued subject to the terms and conditions imposed in said Permit 52845 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit is issued for the non consumptive use of water and any water diverted must be reinjected into the same groundwater source.

A plan must be submitted and approved by the State Engineer, prior to the diversion of any water allowed under this permit, which shows how the water diverted will be reinjected.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 117.955 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 09, 2004

Proof of completion of work shall be filed on or before:

June 09, 2004

Water must be placed to beneficial use on or before:

May 09, 2006

Proof of the application of water to beneficial use shall be filed on or before:

June 09, 2006

Map in support of proof of beneficial use shall be filed on or before:


N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of May, A.D. 2003


State Engineer

Completion of work filed MAY 19 2004

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____